The Columbian Mirror and Alexandria Gazette.

ALEXANDRIA——PRINTED, EVERY TUESDAY, THURSDAY AND SATURDAY, BY ELLIS PRICE, AT THE EAST END OF THE MARKET-HOUSE.

No. 468.] TUESDAY, APRIL 5, 1796. [Vol. IV.

PUBLIC AUCTION.

Will be Sold,

On THURSDAY the 14th of April next, on a Credit of 30, 90 and 120 days, for negotiable notes with approved endorsers,

The HOUSE and LOT

Now occupied by O. Price. Poſſeſſion will be given on or before the laſt of May.

March 31.

Public Sale.

WILL BE SOLD, BY MR. TRAVISE,

On Wedneſday, April the 6th,

At the houſe of Mr. Beakley, on Greenleaf's Point, City of Waſhington,

A complete Cheſt of Carpenters' and Joiners' Tools,

IN GOOD ORDER,

ALSO,

Several Books of Architecture, Hiſtory, and Divinity; Wearing Apparel, Watch, Fowling-Piece, &c.

The property of Samuel Moody, deceaſed.

JOHN BOGUE, Adm'r.

April 2.

For Freight or Charter,

THE AMERICAN SHIP

INDUSTRY;

Two Hundred and Six Tons Burthen.

Now lying in Hampton-Roads

Apply to JABEZ B. FLETCHER. Mas. at Wiſe's Tavern.

Alex. March 31.

EDWARD STABLER,

DRUGGIST AND APOTHECARY,

On the Weſt Side of Fairfax-Street

HAS juſt received from Europe and is now expoſing for Sale an excellent aſſortment of

Freſh Garden Seeds,

CONSISTING OF

Early Chareton peaſe, red round turnip, white turnip, ſeed tares, dwarf marrowfat peaſe, early green Broioli, early York cabbage, ſugar loaf do. Savoy do. drumhead do. red do. Dutch garden turnip, ſtone do. yellow do. orange carrot, early cauliflower, late do. ſolid celery, creſs and muſtard, early cucumber, turkey do. of two kinds, white endive, Scotch kail, green coſs lettuce, Deptford onion, parſley, parſnip. long radiſh, turnip do. ſpinage, fennel, carraway, Coriander, lavender and pot marigold.

He keeps as uſual, an aſſortment of GENUINE DRUGS & MEDICINES, which he will warrant to be of the firſt quality.

Alexandria, 23d of 3d. mo.

BEST LONDON

BOTTLED PORTER,

IN CASES.

AND FOR SALE BY

JOHN MANDEVILLE.

March 28.

I WILL GIVE

TWELVE DOLLARS PER HUNDRED

FOR

HEMP.

JAMES IRVINE.

March 17.

TEN DOLLARS REWARD.

ABSENTED himſelf from my ſervice, on Sunday the 27th of March, an IRISH SERVANT who was bound by indenture to me for three years, and for whom I have been at great expence. His name is NICHOLAS DUFF; a native of Wexford in Ireland and bred up entirely to common laboring and farming; he came over laſt ſummer to this town in the Fair Virginian. He is about five feet five inches high, and very ſtout made; a little marked with the ſmall pox, and has light brown hair, which he wears looſe: and is bow leged. He took away on him a blue cloth coat, a yellow caſſimere waiſtcoat, black velvet breeches, and had a greeniſh oil cloth on his hat.—Should he be in the neighbourhood of Alexandria and will return, his abſence ſhall be overlooked; if not, I will pay the above Reward and reaſonable Charges to any one who will take and deliver him to me, or to any Goaler, ſo that I get him again.

HENRY GIRD.

☞ All Captains of Ships, and others, are cautioned againſt harbouring ſaid DUFF, as I am reſolved to put the law in full force to puniſh his perfidy and ingratitude.

Fairfax-Street.—March 31ſt.

The Columbian Mirror AND ALEXANDRIA GAZETTE.

CONGRESS.

☞ *Obſervations of Mr. BRENT on Mr. Livingſton's Reſolution, delivered in the Houſe of Repreſentatives, Tueſday the 15th ult.*

In a committee of the whole, on the reſolution calling for papers from the Preſident, relative to the treaty with Great Britain.

Mr. Brent ſaid he would not go into the merits of the treaty. He thought the ſubject was entirely forced into conſideration. The reſolution on the table called for papers from the Preſident relative to the negociation of the late treaty with Great Britain; and ſurely there could not be a more decided deviation from the queſtion than to go into the conſtitutionality of the treaty. He ſhould have been againſt touching upon the treaty at all in the preſent debate, but as it ſeemed to be gone into by general conſent, he muſt be permitted alſo to make remarks on the ſubject.

He would firſt obſerve, that the production of the papers would be proper though they were not to enter into a diſcuſſion of the merits of the treaty; for they muſt be called upon to appropriate, and information would be neceſſary on that account, in the ſame way as they were in the habit of getting information from the heads of departments; a practice which would be found ſtrictly conformable to the uſages of the houſe, by conſulting the journals.

Again, if the papers were not neceſſary with reſpect to any laws to be paſſed to carry the treaty into effect, they were neceſſary on another ground. It will be admitted ſaid he, even by thoſe who wiſh to circumſcribe the houſe of repreſentatives of the United States into a committee of ways and means, that the conſtitution had placed the power of impeachment in that Houſe, and therefore they had a right to demand the papers. To ſuppoſe the contrary, would be like requeſting a man deprived of ſight to give you a deniſition of colours. How were they to determine on the conduct of a negociator without information; when the houſe were in poſſeſſion of that, they might impeach or otherwiſe as they thought proper. Theſe reaſons induced him to believe that the conſideration of the conſtitutionality of the treaty might have been avoided in the preſent queſtion.

He laid down this principle, that the Preſident and Senate were the ſole organ authoriſed by the conſtitution for forming treaties with foreign nations: but wherever ſuch treaties involved ſubjects appertaining to the legiſlature, then they do not become laws of the land until ſanctioned by the legiſlature.

It was neceſſary, he ſaid, to view the ſubject in three different lights. Firſt, in reſpect to the conſtitution; next as to the ideas prevailing when the conſtitution was adopted; and laſtly, to examine the different modes of conſtruction,

With reſpect to the firſt, he ſaid there were two clauſes in the conſtitution relating to the ſubject. The firſt clauſe ſays, "that the Preſident and Senate ſhall have power to make treaties." He would aſk whether if this clauſe was ſeparate from the other, it would give them power to make treaties laws of the land. In order to determine this queſtion, it would be neceſſary to refer to the Federal Conſtitution. He ſuppoſed the general power of making treaties either abſolute or controlled. Gentlemen have ſuppoſed that treaties become ſupreme laws of the land; but in all limited governments the treaty making power muſt be the ſubject of limitations, which the Conſtitution has made. He would appeal to Great Britain; there, though the King has the power to make treaties, thoſe treaties do not become laws of the land until they receive the co-operation of the legiſlative department.

This proves, that the organ employed there to make treaties has not the power to make laws. And the only reaſon upon which a contrary opinion could be grounded, muſt be taken from abſolute arbitrary governments. The clauſe which gives the Preſident and Senate the power to make treaties, would not enable them to make treaties ſupreme laws of the land; as, when the Conſtitution is examined, ſpecific powers will be found given to Congreſs, among which is, the regulation of commerce. The power of making treaties was general; thoſe of the Congreſs ſpecific; and it muſt be admitted, that all ſpecific powers go to reſtrain all general powers. And tho' he admitted the Preſident and Senate was equal to the making of treaties for national purpoſes, yet that general power was limited by the powers given to Congreſs. This conſtruction he ſaid, was ſo clear that it would not be doubted, but for the ſecond clauſe in the ſixth article in the conſtitution, which ſays, "this conſtitution, and the laws of the United States, which ſhall be made in purſuance thereof, and all treaties made, or which ſhall be made under the authority of the United States, ſhall be the ſupreme law of the land."

Gentlemen contend, that though the firſt clauſe might not have given the Preſident and Senate the full power they aſcribe to them, this latter clauſe has done it. In expounding the latter clauſe, it will be neceſſary to have reſpect to the nature of things, and to the objects which thoſe who formed the conſtitution had in view, and it will be found that difficulties were apprehended at the time from the ſtate legiſlatures.

That was the evil they mean to guard againſt, and by applying this illuſtration to the laſt article, the conſtitution will ſtand as if the clauſe was not there; but even that clauſe does not make the treaty power any higher than before. It does not ſay it ſhall be the ſupreme law of the land with reſpect to the general, but the ſtate governments. The words in the conſtitution were, and it was neceſſary before he left it to give them a preciſe meaning, "the conſtitution, the laws, and treaties, ſhall be the ſupreme laws of the land." The conſtitution declared, that the three, viz. conſtitution, laws, and treaties, ſhould be in exiſtence together. It did not ſay that they ſhould repeal one another. The conſtitution evidently ſaid, that no one could be in contradiction to the other. If then the treaty making power be as inſiſted on, this inconvenience reſults, the expreſſions in the conſtitution are not to be underſtood, but are unintelligible. For, ſuppoſe the Preſident and Senate make a treaty which repeals a law, and yet it is declared that both ſhall be in exiſtence together, a contradiction is involved. On the contrary, on the conſtruction he would give the words, they would be perfectly intelligible; for they do not ſay, that when the Preſident and Senate have made treaties they ſhall become the law of the land, but when made, "under the authority of the United States, they ſhall become the law of the land." If legiſlative ſanction be allowed, then the whole will be plain; becauſe if the Preſident and Senate make any treaty contrary to an exiſting law, ſuch treaty does not become law until Congreſs repeal the law and approve the treaty. And when the treaty comes into execution, there will be no law in oppoſition to it, and on this rule of conſtruction "the conſtitution, laws, and treaties, would be laws of the land." On the other conſtruction, a treaty might oppoſe a law, or a law a treaty. And then a treaty, made "under the authority of the United States," would not be a treaty made by the Preſident and Senate, which embraces commercial concerns, until it was ſanctioned by the legiſlature.

But gentlemen had ſaid, that the expreſſion of the Conſtitution "was that the Preſident and Senate ſhall make treaties, &c. which ſhall be the ſupreme law of the land." But, ſaid Mr. Brent, are they aware to what length this doctrine carries them? Treaties will repeal, and ſo laws might repeal the conſtitution; for they ſay, "the conſtitution, laws, and treaties, ſhall be ſupreme laws of the land," (and the rule of conſtruction is to value the power of words according to the order in which they are placed,) and treaties being mentioned laſt repeals all anterior laws. If they ſtand on equal footing, a treaty may may change all the laws of the United States.—A treaty may be even entered into by which the United States ſhould be changed into a monarchy, and the Senate into a body of hereditary nobles.

But the poſition was falſe in all its parts. The law, ſaid he, cannot repeal the conſtitution, nor a treaty repeal a law. Although the conſtitution is firſt mentioned, yet the treaty is made ſuperior to all the reſt, and if ever they were mentioned, they muſt come in the order they were placed. But it could never be intended, that the treaty making power ſhould be ſo omnipotent, as that the Preſident and Senate might make any alterations in the government; and on the principle, that, "that the conſtitution, laws and treaties were equally laws of the land," the Preſident and Senate might overturn the conſtitution at their will. But the true conſtruction was; that the conſtitution was law, law was law; and treaties made according to the conſtitution and laws of the land, were law; but treaties or laws made contrarily were nullities.—Treaties on that conſtruction embracing legiſlative objects, would not be laws of the land until approved by the legiſlature. It might be ſuppoſed this was a ſolitary opinion, a chimeral of his own; but if it ſhould be found to have been the opinion held at public meeting, held about the time of paſſing the conſtitution, and of the writers of that period, it cannot with any propriety be charged with being a ſolitary opinion.

The gentleman from Maſſachuſetts had referred to the authority of the Virginia Convention; if he had not made the reference it would not appear to him in order to have done ſo; but as he had appealed to it as an offenſive weapon, he would appeal to it as a defenſive one. It would be found, that whatever aſpect the debates of the Virginia Convention bore, from the complexion given them by that gentlemen, the conſtruction there inſiſted upon would be in favour of his conſtruction of the conſtitution, with reference to the treaty making power. It was an old remark, that the Devil himſelf might quote ſcripture to his own advantage; and ſo it was in every other caſe. In that convention it was aſſerted that the treaty power given to the Preſident, was the ſame as that veſted in the King of England. It was alſo aſſerted that

commercial treaties muſt have the ſanction of the legiſlature before they become laws.

[*Mr. Brent read a number of the extracts from the debates to this effect.*]

It was inſiſted on the other hand, he would admit, that the power propoſed to be given to the Preſident and Senate were extremely dangerous, and that the conſequence of their being taken advantage of might be an overthrow of the liberties of the country; and if the principles were juſt, it would be ſo; but he would aſk, if they were to have recourſe to the opinion of any public body of men; whether they were to take the ſentiments of the minority or majority? He truſted the latter; and if ſo, they were in his favour. But they were told that the debates of the North Carolina convention carried a different complexion; and he expected it was ſo; but when he examined them, he found the fact different. But the gentleman ſaid that the convention was diſſolved before the conſtitution was ratified, though the gentleman from Carolina had yeſterday informed the committee, that he was a member of the convention, and that the opinion of the convention was the ſame as that which he had maintained. It was wonderful that the gentleman from Maſſachuſetts ſhould ſay the doctrine now aſſerted was a novelty, and yet by a recurrence to theſe debates he would have found the principles there laid down. He certainly had forgot the debate, or he would not have inſiſted upon his aſſertion. He wiſhed to read an extract from a writer of conſiderable celebrity (the Federal Farmer) when the conſtitution was under conſideration, in approbation of the adoption: though he was ſolicitous to find the very objection, yet this writer conceives it as an undoubted fact, that the legiſlature was to be conſulted with reſpect to commercial treaties, as they did not require ſecrecy.

[*He read ſome paſſages from the book alluded to.*]

M. Brent recapitulated the doctrine he wiſhed to eſtabliſh, and aſſerted that the contrary was too monſtrous and abſurd to be inſiſted upon. But gentlemen had ſaid that if ſuch a conſtruction was put upon the treaty clauſes, no country will treat with them. Was this remark juſtified by experience? Was not the Britiſh treaty power the ſame, and had that nation experienced any difficulty on that account? And on the preſent occaſion the remark was very improper, becauſe the treaty was with a nation on the ſame footing with them.

He might have recurred, to a great authority who wrote on the ſubject, who had been quoted already; "*The Federaliſt,*" in ſuppprt of his opinions, notwithſtanding the gentleman from Maſſachuſetts had aſſerted the doctrine to be novel. He was told the debates of the Pennſylvania convention were perfectly analogous, and would be brought forward in the courſe of the debate.

What ſecurity he aſked, had the people of their rights, if the Preſident and Senate had the power which ſome gentlemen mere willing to allow them? He believed the preſent Preſident and Senate poſſeſſed all the virtue they could wiſh them, but although the preſent Preſident and Senate may not, and will not take advantage of this power, they were to conſider what might take place at any future day. The conſtitution was formed for diſtant ages, and ſuppoſe they were at a future day to have a Preſident and Senate diſpoſed to exerciſe the power to the greateſt extent, they hold their liberties, the moſt precious gift of God to man, on precarious terms. Even as high a reſpect as he had for the preſent illuſtrious Preſident of the United States, yet he did not wiſh to place him in a ſituation which might have a tendency to ſully that character which had been admired and eſteemed by all countries; nor would he wiſh to hold ſo great a bleſſing, as he conceived liberty to be, by the courteſy of any man, however great and good.

But after all, if it ſhould be admitted, that the Preſident and Senate were not only the organ for making treaties, but that when they were made, they became the ſupreme law of the land, yet he believed there was a controling authority in appropriation. It was ſaid, there was no indiſpenſible neceſſity to appropriate money for carrying treaties into effect, and the caſe of judges was called in as proof. Wherever the conſtitution, he ſaid, had expreſsly declared what they were to do, they had no choices, and ſuch inſtances proved exceptions to their general rule of diſcretion. For inſtance, with reſpect to ſtanding armies, leſt the legiſlature might be induced to paſs improper appropriations, the conſtitution limits them to two years. He believed, therefore, that on both grounds they had a right to call for documents, viz. for the purpoſe of diſcuſſing the merits of the treaty, and in order to make ſuitable appropriations for carrying it into effect.

Early in the debate, gentlemen had called upon thoſe who advocated the ſentiments which he eſpouſed, to be careful how they encroached on the prerogatives of the executive that it was treaſon and rebellion to do ſo; but if it ſhould be found thoſe gentlemen themſelves were encroaching on the rights of the people, the charge might be retorted: as it muſt be allowed that the crime is at leaſt as great to attempt to rob the people of their juſt privileges, as to encroach upon the buſineſs of the executive. It was not, ſaid he, for the Preſident and Senate, that the conſtitution was formed, but to ſecure the liberty and happineſs of the whole people. He hoped to purſue the happy medium, without particularly favouring any one branch of government to take care to keep each branch within its proper bounds; for to ſuffer either the executive or democratic branches to deſpoil the other, was to overthrow the great baſis on which the government was erected.

The importance of the queſtion had induced him to dwell longer on the ſubject than he intended. He thought it neceſſary to ſay what were his motives for voting for the reſolution on the table. If the expoſition he had given was founded in error, it was an error of the head, and not of the heart. It had been ſaid, that objections were brought forward, becauſe the treaty was with Great Britain. What impure motives do gentlemen attribute to thoſe who differ in opinion from them! For his part, he ſaid, if the treaty was the beſt, if the country were likely to derive the greateſt advantages from it, and if it were made with the moſt favoured nation on earth, yet if it were to be eſtabliſhed at the expence of a breach of their conſtitution, he would oppoſe it; for, though a partial advantage might be gained by ſuch a departure from the conſtitution, he would not agree to the deſtruction of one of its principles.

Mr. Brent ſaid, he did not conceive himſelf committed with reſpect to the queſtion on the treaty, becauſe he advocated the reſolution on the table, he thought the preſent motion ſhould be adopted in order that the houſe might form a fair judgment upon the treaty when it came before them: if it appeared worthy of being adopted, he would vote for adopting it; if not, for rejecting it. This much he would ſay, that whether he was to give his aſſent to the treaty, or not, in caſe of the information given; if that were withheld, he ſhould certainly vote againſt it, though with the information he might have thought it neceſſary to vote for it.

Committee roſe and had leave to ſit again.

Adjourned.

For Freight or Charter,
To SALEM or BOSTON,

The Brig Diamond,
At Harper's Wharf.
She will be ready to take a cargo in four days.
Apply to the Maſter on board.
SAMUEL JONES.

☞ *I have a few hundred groſs of Corks, and 14 ſacks of Liſbon Feathers.* S. J.

April 5.

RYE.

WANTED by the ſubſcriber a quantity of Rye, for which a generous price will be given.
JOHN G. LADD.

April 5.

FOR SALE BY THE SUBSCRIBER,
36 hhds. Molaſſes
20 pipes Teneriffe Wine
10 caſks London bottled Porter.
J. B. NICKOLLS.

April 5.

LOST

AT *the Theatre on Saturday evening laſt, a green ſilk Umbrella, with a red edge, and the ſtick mended with a braſs hoop. Whoever has inadvertently taken it, is requeſted to have the goodneſs to leave it with the Printer.* *April 5.*

Bricks for Sale.

A QUANTITY *of well burnt bricks for ſale at my Farm, near Col. Little's. Thoſe in the neighbourhood who are in want, have an apportunity of ſupplying themſelves, with convenience, on moderate terms. Apply to Wm. Frizzle my Overſeer.*
JOSEPH W. HARRISON.

Tranquility, April 5.

Strong fourth proof Jamaica Rum
in hhds. for Sale by
Fletcher and Otway.

March 29.

ROBERT HAMILTON
HAS FOR SALE,
Sherry and Calcavella Wines
IN QUARTER-CASKS.
A few Hundred Buſhels of
JAMES RIVER COAL,
And a few Puncheons of
4th Proof Jamaica Rum.

March 29.

In purſuance of a Decree of the County Court of Berkley,
WILL BE SOLD,
On the Third Monday in April next if fair, if not the the next fair day.
ON THE PREMISSES,
FOR CASH,
Two Hundred and Seventy-two Acres of Land,
Lying on the Shenandoah River, near Keyes's Ferry, on which there is a Merchant Mill; or ſo much thereof as will be of value ſufficient to ſatisfy the claims of John Potts and Elizabeth Oſborne, amounting in the whole to about Nine Hundred Pounds, current money of Virginia; when due attendance will be given by
THOMAS RUTHERFORD,
GEORGE HITE,
JOHN DAVENPORT. } Com'rs.

March 16, 1796.

The Columbian Mirror
AND
ALEXANDRIA GAZETTE.

THE PRESIDENT'S REFUSAL.

The following is a copy of the Meſſage from the Preſident, which was read on Wedneſday laſt in the houſe of Repreſentatives of the United States:—

"GENTLEMEN
"Of the Houſe of Repreſentatives,

"With the utmoſt attention I have conſidered your reſolution of the 24th inſt. requeſting me to lay before your houſe, a copy of the inſtructions to the miniſter of the United States, who negociated the treaty with the king of Great Britain, together with the correſpondence and other documents relative to that treaty, excepting ſuch of the ſaid papers as any exiſting negociation may render improper to be diſcloſed.

"In deliberating upon this ſubject, it was impoſſible for me to loſe ſight of the principle which ſome have avowed in its diſcuſſion, or to avoid extending my views to the conſequences which muſt flow from the admiſſion of that principle.

"I truſt that no part of my conduct has ever indicated a diſpoſition to withhold any information which the conſtitution has enjoined upon the preſident as a duty to give; or which could be required of him by either houſe of congreſs as a right; and with truth I affirm, that it has been, as it will continue to be, while I have the honor to preſide in the government, my conſtant endeavor to harmonize with the other branches thereof; ſo far as the truſt delegated to me by the people of the United States, and my ſenſe of the obligation it impoſes to "preſerve, protect, and defend the conſtitution," will permit.

"The nature of foreign negociations requires caution; and their ſucceſs muſt often depend on ſecrecy, and even when brought to a concluſion, a full diſcloſure of all the meaſures, demands, or eventual conceſſions, which may have been propoſed or contemplated, would be extremely impolitic; for this might have a pernicious influence on future negociations; or produce immediate inconveniences; perhaps danger and miſchief, in relation to other powers. The neceſſity of ſuch caution and ſecrecy was one cogent reaſon for veſting the power of making treaties in the preſident, with the advice and conſent of the Senate: the principle on which that body was formed confining it to a ſmall number of members. To admit, then, a right in the houſe of repreſentatives to demand, and to have as matter of courſe, all the papers, reſpecting a negociation with a foreign power, would be to eſtabliſh a dangerous precedent.

"It does not occur that the inſpection of the papers aſked for, can be relative to any purpoſe under the cognizance of the houſe of repreſentatives, except that of an impeachment; which the reſolution has not expreſſed. I repeat that I have no diſpoſition to withhold any information which the duty of my ſtation will permit, or the public good ſhall require to be diſcloſed; and in fact, all the papers affecting the negociation with Great Britain, were laid before the Senate, when the treaty itſelf was communicated for their conſideration and advice.

"The courſe which the debate has taken, on the reſolution of the houſe, leads to ſome obſervations on the mode of making treaties under the conſtitution of the United States.

"Having been a member of the General Convention, and knowing the principles on which the conſtitution was formed, I have ever entertained but one opinion on this ſubject; and from the firſt eſtabliſhment of the government to this moment my conduct has exemplified that opinion that the power of making treaties is excluſively veſted in the Preſident, by and with the advice and conſent of the Senate, provided two thirds of the Senators preſent concur; and that every treaty ſo made, and promulgated, thence-forward became the law of the land. It is thus that the treaty making power has been underſtood by foreign nations; and in all treaties made by them, we have declared, and they have believed, that when ratified by the Preſident, with the advice and conſent of the Senate, they become obligatory. In this conſtruction of the conſtitution, every houſe of repreſentatives have heretofore acquieſced; and until the preſent time, not a doubt or ſuſpicion has appeared to my knowledge, that the conſtruction was not the true one. Nay, they have more than acquieſced; for, till now, without controverting the obligation of ſuch treaties, they have made all the requiſite proviſion for carrying them into effect.

"There is alſo reaſon to believe that this conſtruction agree with the opinions entertained by the ſtate conventions, when they were deliberating on the conſtitution; eſpecially by thoſe who objected to it, becauſe there was not required in *commercial treaties*, the conſent of two thirds of the whole number of the Senate, inſtead of two thirds of the Senators preſent: and becauſe in treaties reſpecting territorial and certain other rights and claims, the concurrence of three fourths of the whole number of the members of both houſes reſpectively was not made neceſſary.

"It is a fact declared by the general convention, and univerſally underſtood, that the conſtitution of the United States was the reſult of a ſpirit of amity and mutual conceſſion. And it is well known that under this influence, the ſmaller ſtates were admitted to an equal repreſentation in the ſenate, with the larger ſtates; and that this branch of the government was inveſted with great powers; for an

equal participation of those powers the sovereignty and political safety of the smaller states were deemed essentially to depend.

"If other proofs than these, and the plain letter of the constitution itself, be necessary to ascertain the point under consideration, they may be found in the journals of the general convention, which I have deposited in the office of the department of state. In those journals it will appear, that a proposition was made, "that no treaty should be binding on the United States which was not ratified by a law;" and that the proposition was explicitly rejected.

"As therefore it is perfectly clear to my understanding that the assent of the house of representatives is not necessary to the validity of a treaty; as the treaty with Great-Britain exhibits, in itself, all the objects repuiring legislative provision; and on these the papers called for can throw no light; and as it is essential to the due administration of the government, that the boundaries fixed by the constitution, between the different departments should be preserved,—a just regard to the constitution, and to the duty of my office, under all the circumstances of this case, forbid a compliance with your request.

"GEO. WASHINGTON.

"*United States, March* 30, 1796."

Alexandria, April 5.

Extract of a Letter from a Gentleman in Baltimore to his Correspondent in this town.

Baltimore, April 3.

"I HAVE Letters of the latest date, from the best authority from Nantz, by which the price of flour was not more than 14 Dollars, with the prospect of being still lower, and since the war, that port has been the most favorable for the sale of flour. At Havre the price was 12 Dollars; neither does England present more flattering prospects, the price of superfine flour at Liverpool 28s. sterling per 100 lb. and wheat 16/6 per bushel of 70 lb."

The President of the United States has nominated to the Senate the following gentlemen, as Commissioners, being those contemplated in the treaty with Great Britain, viz.

Henry Knox, of Massachusetts to settle the eastern boundaries of the United States.

Thomas Fitzsimons, of Philadelphia, and *James Innes* of Virginia, on the subject of British debts.

Christopher Gore, of Massachusetts, and *William Pinckney* of Maryland, of British spoliations.

Saturday evening a large auditory were highly entertained with the performance of the Comedy of the *Jew*, and the Farce of *Love-a-la-Mode*, by some of the young gentlemen of this town. The characters were generally well supported, and though we shall not particularize them, we may say that the performance of some of those juvenile dramatists would have done credit to veterans of the stage.

From the WEST-INDIES.

PHILADELPHIA, MARCH 31.

Captain M'L'horion of the sloop Dolphin from Port-au Prince, has obligingly handed the Editor the following inteligence—

February 16th, 12 sail of transports and a frigate of 36 guns, with 2000 troops on board, to go against Leogane, arrived at Port au Prince from Cape Nichola Mole, in company with some Americans; 10 of these transports sailed for Leogane with 1000 men.

On the 27th and 28th. severe engagements took place in several parts near to Port au Prince, and on the Sunday following about day break, a very smart engagement commenced betwen the British troops aided by the people of colour, and the brigands on the part of the French, between Port au Prince and Busey town Fort; the action lasted eight hours and one half, but at length terminated in favour of the British, they having taken possession of the brigands camps with the loss of 100 men killed and 47 wounded: the defeat of the brigands made them more and more furious and desperate. After the engagement took place, three of the British soldiers had strayed from the camp at Busey town Fort, to the distance of about two or three hundred yards, when all of a sudden five or six of the brigands who were concealed in thickets rushed forth, seized two, and instantly put them to death, the third made his escape. They have erected three Forts opposite to Busey town, and it was the general opinion of the British officers, the the brigands could muster about twenty thousand men in a few days; they were supplied with provisions, ammunition &c. and had the advantage of the mountain. March 3d, the brigands made a most desperate attack on the camp which the British had taken from them a few days before, the particulars of which had not transpired when Captain M'L'horion sailed, although it was feared they would prove victorious.

Captain M'L'horion was a spectator to the above engagement, he lying contignous to the British fort taking in ballast.

BALTIMORE, APRIL 2.

Wednesday evening arrived the ship George and Patty Washington, captain Parker, from Liverpool from whence he sailed on the 31st of January, with the ship Beckey, captain Bryden, and the ship James, captain Peachy.

On the 5th of February, at ten P. M. he saw a ship under three jury masts, which appeared to be a 74; it blowing hard, he could not speak her.

On the 25th of February, in lat. 24, 44. N. long. 29, W. spoke the brig Benjamin and Nancy, of Haverhill, captain Farley from St. Ubes, bound to Newburyport, fourteen days out, all well. Captain Farley informed him, that one half of Cadiz was sunk by an earthquake, and several other towns had shared the same fate. Captain Farley felt the shock lying in St. Ubes. He likewise informed captain Parker that the king of Spain had fled into Portugal, but what for he could not tell; he expected it was owing to an insurrection.

March 7, at 2 P. M. spoke the ship Francis and Mary, captain Reed, of Kennebeck, 30 days from St. Ubes, in lat. 24, 11, N. long, 41, 14, W. bound to Norfolk, the captain informed him that the king of Spain was in Portugal but could not inform what for—he also said that Cadiz was partly sunk by an earthquake, and several other towns received much damage from the shock.

PORT OF ALEXANDRIA.

ARRIVED.

Brig,	Jane and Eliza,	Gear Chadwick,	Liverpoo
Schooner,	Expedition,	Boyle,	Londo
———	Betsey,	———	Newbury Po
Sloop,	Phœnix,	———	Norfo
———	Dianna,	O'Mara,	

ASSIZE OF BREAD.

THE Three-penny Loaf to weigh 9 ounces—price of Superfine Flour this day 72s.

A. M'CONNEL.

April 2.

SPRING GOODS.

James M. M'Crea & Co.

HAVE had an arrival at Baltimore of part of their Spring Importations, which they expect round in a few days; and the remainder are expected daily in different Vessels from London and Liverpool. The whole will form an assortment of well chosen, and well bought,

SPRING GOODS,

Which they will have opened for sale at their Store on Fairfax-Street, by the Piece or Package only, on very moderate terms for Cash, or at the usual Credit to punctual Customers.

April 5.

☞ A large and commodious STORE, in a good stand for Business, to let. Enquire as above.

FOR SALE,

On board the Schooner BETSEY, lying at Harper's Wharf;

Madeira Wine, four years old,
IN PIPES.
New England Rum,
IN BARRELS.
Coarse Shoes,
IN DO.
Excellent Beef,
IN BARRELS AND HALF BARRELS.

All which will be sold extremely low
FOR CASH.
Apply to the Master on Board.

April 5. PAUL STEPHENS.

Houses and Lots for Sale.

In obedience to a commission issued out of the Honorable Court of Chancery for Fairfax County to us directed, will be exposed to Public Sale, on Thursday the 5th day of May next, at 3 o'clock P. M. on the Premisses,

A CERTAIN part of a Lot and Portion Ground, lying and being on King-Street, adjoining Mr. James Kennedy, containing 38½ feet, and in depth 34 feet; on which is a two story Brick House, and a one story frame do. and in a good situation for business, subject to an annual ground rent of £. 19. 5s. 6d. as also to the dower of Margaret Pettit, widow of John Baptist Pettit, deceased. The further Terms and Conditions will be made known at the time and place of sale, by

A. FAW,
AND
J. M. PERRIN. } Comm'rs.

April 5.

DR. BEZIERS,

DENTIST,

WHO has practiced his profession for a number of years in Europe, and for some time past in conjunction with Mr. Gardette, Dentist, in Philadelphia, respectfully offers his services to the Public in the several branches of the art of the DENTIST.

He undertakes effectually to remove all complaints incidental to the Teeth and Gums, and pursues the most approved method of preserving them in a sound and beautiful state. He also places Natural and furnishes Artificial TEETH perfectly resembling the real, without inconvenience to the party.

DR. BEZIERS may be consulted at JOHN WISE'S where may be had DENTIFRICE and ELIXIR for the Teeth and Gums.

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daily expect in
the ship Sisters,
ship Alexandria f

April 5.

Soap and Ca
PRINC

JACOB RE

RETURNS his sincere thanks to the
Alexandria and its vicinity, for the very liberal encouragement he received hitherto in the above business. He takes the liberty of informing them, that he has now ready for sale

		S.	D.	
Mould Candles, by the Box,	at	1	2	per lb.
Dipt Do.	by Do. or Dozen lb,	1	0	do.
Hard Soap	Do.		8	

Nine Pence per Bushel given for good Oak and Hickory Ashes.

☞ A Credit of 30 Days will be given on any quantity not less than a Box.

April 5.

FOR SALE,

ONE-HALF, or the whole of that valuable Lot on King-street, adjoining the Warehouses of Messrs. Thomas Patten and Co.—This Lot is 40 feet on King Street, and 60 feet deep, bounded by a ten foot alley. There is on the Lot a large Frame raised, 40 by 30 feet, and two Story and half high.

The Terms will be made remarkably easy.

April 5. JOSEPH DYSON.

MAHOMET

THAT beautiful high bred horse now in high perfection will stand the ensuing season at Salisbury in Loudoun county every Monday, Tuesday and Wednesday from the first Monday in April until the second Monday in July next every Thursday, Friday and Saturday at my Mill in Prince William County from the date hereof until the 1st. of August next, to cover mares at the moderate price of eight dollars each, payable the first of October next, but if six dollars is paid in thirty days after the first cover to Mr. Peter Jett, junr. at Centerville, or Mr. Samuel Abbot Love at Buckland, it will be received in full for the season of a mare, those who may incline to put by the leap must pay three and a half dollars for each on the day of covering, or the mare will be considered as going by the season. Mahomet will frequently be taken to Centerville on the afternon of the days he is to stand at Salisbury. Pasturage gratis at my mill for all mares from a distance, but will not be answerable for escapes or accidents.

JOHN LOVE.

March 28.

NOTICE,

THE public are cautioned against taking any NOTE of mine, drawn in Alexandria previous to this date, as they are at present illegally detained from me, and I am determind not to pay any of them unless compelled by law.

JAMES FERRALL.

Alexandria, March 25, 1796.

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TE will be published on a
an excellent quality, and on a
type.

ie price to subscribers to be *Seven Dollars* per annum, including all expences of carriage; Four whereof to be paid at the time of subscribing, and the remainder in six months. This stipulation to be observed annually, with punctuality, as long as they continue to be subscribers; and one month's previous notice to be given of their intention to discontinue their subscription.

III. Should the number of subscribers amount to 50, a person will be employed to carry out the papers immediately on the arrival of the stage.

The many advantages arising from a *Daily Gazette*, to the enlightened citizens of the United States, and particularly those engaged in mercantile and commercial pursuits, have become too obvious to the most superficial observer, to require any illustration from the publishers: For, by this, they do not wish to be understood, in the least, to undervalue the utility of those that are not daily. The *Federal Gazette* then, from the mass of the earliest mail and other intelligence which it usually contains—from its character for impartiality and accuracy, which the greatest care has been taken to establish—from the mode pointed out for its conveyance—from its cheapness and beauty, holds out (the proprietors presume to hope) more real advantages to the citizens of Alexandria, than any other daily paper on the continent.

Baltimore, YUNDT & BROWN.
March 22, 1796.

Subscriptions are received by Mr. J. V. Thomas at his Book-Store, Royal-Street.

The Subscriber intends keeping
A CONSTANT SUPPLY OF
INDIAN MEAL,
FOR SALE,
By the Large or Small Quantities,
ROBERT ALLISON.

April 2.

Private Tuition.

A PERSON well calculated to instruct a few children, would wish to engage in a private family, who might want a female of that description. As emolument is not so much the object as a comfortable situation in a respectable family, she trusts that those with whom she may engage will have no reason to complain of neglect of her abilities or disposition. She would have no objection to a small distance in the country.—A letter addressed to E. K. at the Printing-office shall be duly attended to.

Valuable Merchant Mill and Lands for Sale.

WILL BE SOLD AT PUBLIC SALE,
ON THE PREMISSES,
On Monday the 11th of April next,
TO THE HIGHEST BIDDER,
(Unless previously disposed of at private sale, of which timely notice will be given in this Paper)

NINETY and Three-quarter acres of Land, in fee simple, whereon is erected a Merchant Mill, situate in Culpepper County, in the State of Virginia, near Chester's Gap of the Blue Ridge, about forty miles om Fredericksburg, and seventy five from Alexandria, a neighbourhood abounding in wheat equal in quality any this county produces, and where there is an extensive command of the article. The Mill-house is about 41 by 52 feet, which, together with the machinary, nearly new and in complete order: it has two water wheels 18 and 19 feet, overshot with a fall of at least 17 feet; one pair of burr and one of country stones re are also on the premisses, a good Dwelling-house, two rooms and fire-places below, and a room comfortably fitted for a store, an excellent cellar well walled, hen, smoak-house, and paled garden, all new and built; besides a miller's and cooper's house, and

About twenty-five acres of this tract is cleared, st is in wood. There is likewise on it a small orchard of bearing apple trees, some meadow land which be watered with ease, and another mill-seat equal, not superior, to the one improved. The eligibility of situation must be obvious, when it is known that here are few merchant-mills within a considerable distance to interfere, and that the neighbourhood is destitute of seats on sufficient streams to justify the erecting of Merchant Mills.

ALSO,

The following Tracts of Land,

Lying in the neighbourhood of Front Royal, in the county of Frederick, in Virginia, near the forks of Shenandoah river, about from 5 to 12 miles from the aforesaid Mill, some in fee simple, others are leases for three lives, at uncommon low rents, viz.

A tract of 512 and another adjoining of 144 acres, on which is a small farm, and a large bearing apple orchard of excellent fruit.

One Tract of 300 acres, of which about 150 is cleared, and is divided into two tenements.

One Tract of about 400 acres, nearly all in wood, but has a few acres cleared which are stocked with apple and other fruit trees.

The half of 400 acres of land lying within a mile of the town of Front Royal; together with half a distillery and stock of hogs and cattle thereon may be had, or probably the whole of the premises, stock, &c. may be sold together. On this tract is a considerable portion of arable land, a dwelling-house and barn, and an apple orchard planted of the best fruit.

One tract of 800 acres, adjoining the one last mentiontioned, all in wood, and has a capital mill-seat upon tion a good stream.

Besides the above tracts, one of about 30 acres, adjoining the Town of Front Royal, will be laid off in small out lotts; and, together with several lots in the said town, will be sold.

The sale of the above Lands and Lots will be held at Front Royal, the day following the sale of the first mentioned tract, which will be at the mill—when the terms (which will be a part in hand and a considerable credit on the balance) will be particularly made known, and attendance given by the subscriber.

Possession will be given immediately on securing the payments, and the titles, which are indisputable, made.

WM. HICKMAN.

Alexandria, March. 19.

P. S. I will sell a bargain of 4000 acres of Land in Kentucky, an undivided Tract, entered about the year 1786 by Mr. Robert Craddock, of Danvil, a gentleman of information and character, whose interest (being entitled to one half for doing the business) and opportunity justifies the supposition, that the entry is the best that could at the time be made. Or, I will exchange 3000 acres of the above Land for property in this Town or any of the adjacent Counties.

W H.

MORDECAI MILLER

HAS just received a handsome assortment of SILVER WATCHES, consisting of cap'd and jewel'd plain cap'd, patent and other seconds, and a variety of plain do. all of which he will warrant to be good.

Chains, Seals, Keys, &c. as usual.—Coral, Beads, Rattles and bells for Children, &c. &c.

Notice.

THE partnership which lately subsisted between JAMES ABERNETHY and WILLIAM LOWRY, under the firm of WILLIAM LOWRY and Co. was dissolved by mutual consent, on the first of February last. All persons having claims against the said firm, are requested to call for payment; and all debtors thereto, to make immediate payment, (or suits will be commenced) to James Abernethy, who is authorized to settle the same.

JAMES ABERNETHY
WILLIAM LOWRY.

Baltimore, March 1, 1796.

Just Published,
(In a large volume octavo, handsomely bound and lettered)

THE
NEW VIRGINIA JUSTICE,

Comprising the office and authority of a Justice of the Peace in the Commonwealth of Virginia, together with a variety of Useful Precedents, adapted to the Laws now in force.

TO WHICH IS ADDED,
AN
APPENDIX,

Containing all the most approved Forms of Conveyancing commonly used in this country; such as, Deeds of Bargain and Sale, of Lease and Releases, Trusts, Mortgages, &c. Also, the Duties of a Justice of the Peace, arising under the Laws of the United States,

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BY
WILLIAM WALTER HENING,
ATTORNEY AT LAW.

THE Author of this work is at length gratified in announcing to its patrons, that several volumes are ready for delivery at John V. Thomas's Book-store in Alexandria, and Thomas Nicholson's Printing Office in the city of Richmond. The books will be forwarded to subscribers, as fast as the binding can be completed and conveyances procured. In the mean time, Gentleman who wish early to possess the work, will please to apply at either of the above places.

Some books have been delivered, to satisfy the solicitations of individuals, in an unfinished state. If the possessors will return them to Mr. *A. Currie*, the Binder, in Richmond, uninjured, others completely finished will be given in their stead.

Those who have had volumes without the Appendix No. II. are informed that that also is ready to be delivered for each volume.

A few copies of this impression remain unsubscribed for, and will be for sale, by Prichard and Davison, Booksellers; Moody and Price, Merchants; A. Currie, Book-binder and Stationer; and Thomas Nicholson, Printer, Richmond:—Also, by Rainbow and Hannah, Booksellers, Norfolk; David Henderson, Merchant, Fredericksburg: John V. Thomas, Alexandria; and Sherrard and Alexander, Merchants, Manchester.

WILLIAM W. HENING.

Bank of Alexandria,

JANUARY 22, 1796.

NOTICE is hereby given, that the Subscription Book is kept open at the Bank for the purpose of receiving subscriptions to the augmented stock, and will continue open until the whole number of shares are filled up.

By order of the board,
GURDEN CHAPIN, Cash'r.

N. B. Any Bank paper from Philadelphia to Alexandria, will be taken for the mony to be paid at the time of subscibing.

For Sale,

Valuable real property in fee simple.

A HOUSE and LOT on the south side of King street, the second below Pitt street, containing in front 31 feet 6 inches and extending back 176 feet 8 inches.

The house is built of brick, 27 feet front, by 40 feet deep; two stories high with a good brick kitchen; there are two cellars under the house, in one of which is a plank floor.

The front part has been occupied as a store, but might be easily converted into a parlour; the house is well finished throughout, and has every convenience for the accommodation of a family. The lot is enclosed with a neat pailing and laid out in a garden. It will be sold either for cash or on credit. Any person wishing to purchase such property will please to apply to the subscribers who will give a general warrantee.

JOHN and THOMAS VOWELL.

Alexandria, Feb, 11, 1796.

CARNE & SLADE,

Have just imported
AN ASSORTMENT OF
Hardware and Cutlery,
Plated, Britannia, Japanned, and Tin Ware,
AMONG WHICH ARE,
Tea and Coffee Urns, Tea and Coffee Pots, Candlesticks, Waiters, Ladies' pattens, &c.
A few casks of Paints; Packthreads; Seaming, Sail, and Shop Twine; Worsted Rugs; and a large quantity Camomile Flowers.
They have likewise on hand Anvils, Vices, Tin Plate, Rolled Iron, Blistered Steel, Iron Wire; and different kind of Woolens, such as Flannels, Baizes, Serges, Blankettings, Duroys, &c.
Which they offer for sale at their Store in Fairfax-street, adjoining Ricketts and Newton's new buildings.

March 1, 1796.

Ten Dollars Reward.

I WILL pay TEN DOLLARS to any person who will apprehend STEPHEN, a Mulatto Servant, and lodge him in any goal, and give me notice thereof.—He is a handsome smart lad, about 20 years of age, and rather under size. He has a variety of Clothes, but his common dress is striped Homespun Cloth.

West Grove, R. WEST.
near Alexandria, March 18.